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THE RIGHT TO DEVELOPMENT

Report of the High Commissioner for Human Rights submitted in accordance with Commission resolution 2000/5

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Introduction

1. The Commission on Human Rights, in its resolution 2000/5, and the General Assembly, in its resolution 54/175, invited the High Commissioner to submit a report to the Commission each year, in each case covering:

(a) The activities of her office relating to the implementation of the right to development as contained in her mandate;

(b) The implementation of the resolutions of the Commission and the General Assembly with regard to the right to development;

(c) Inter-agency coordination within the United Nations system for the implementation of relevant resolutions of the Commission in that regard.

This invitation was reaffirmed by the Assembly in resolution 55/108.

2. In accordance with resolution 54/175, the High Commissioner submitted a report on the right to development to the General Assembly (A/55/302).

3. The present report is submitted to the Commission in accordance with those resolutions.

4. The High Commissioner has chosen as a focus for the present report the framework for social development agreed by the international community at the World Summit for Social Development held at Copenhagen in 1995 which was the subject of a review by the General Assembly which convened its twenty-fourth special session, held at Geneva in June 2000, for that purpose. That framework consists of 10 commitments to implement social development, having as its goals full employment, poverty eradication and social integration. The 2000 review process resulted in the Report of the Ad Hoc Committee of the Whole of the twenty-fourth special session of the General Assembly[1] ("the outcome document"), which includes new initiatives for social development ("the new initiatives") within the original framework of 10 commitments agreed in 1995. These proposals were adopted by the General Assembly in its resolution S-24/2 (annex, part III).

5. This report focuses on some of the themes in the new initiatives agreed in June 2000 - poverty alleviation, the international financial architecture, corporate responsibility, gender mainstreaming, education, health, food, racial discrimination, indigenous people, good governance, and migrants and trafficked people. Under these headings, the report takes relevant articles of the Declaration on the Right to Development (the Declaration) and resolutions on the right to development, making appropriate reference to the new initiatives, and provides information on relevant activities of the international human rights machinery in that regard.

I. POVERTY ALLEVIATION

6. Under article 6 (3) of the Declaration, "States should take steps to eliminate obstacles to development resulting from the failure to observe civil and political rights, as well as economic, social and cultural rights". Poverty is increasingly recognized as both a cause and a consequence

of the denial of human rights. In resolution 2000/5 the Commission reiterated that "the existence of widespread absolute poverty inhibits the full and effective enjoyment of human rights and renders democracy and popular participation fragile" (para. 3 (b)). In Commitment 2 of the Copenhagen Declaration on Social Development,[2] Governments committed themselves to the goal of eradicating poverty and at the twenty-fourth special session the General Assembly agreed on new initiatives to assist in the realization of this commitment. Activities of the international human rights machinery are relevant to two of these initiatives.[3]

7. The United Nations Development Group (UNDG) has drafted the United Nations poverty strategy, "Halving Extreme Poverty, An Action Strategy for the United Nations" and its framework for action, "United Nations Poverty Strategy, Options for Action". The poverty strategy includes five poverty matrices. The Office of the High Commissioner for Human Rights (OHCHR) participated in the process and was involved in drafting the matrices, in particular matrix priority area 1 on promoting rights and responsibilities and empowering the poor, which reflects a human rights approach to alleviating poverty. A representative of OHCHR participated in the United Nations Retreat on Poverty in mid-July as part of the effort to finalize the Action Strategy.

8. OHCHR is also mandated by the Commission on Human Rights to organize an expert seminar to "consider the need to develop a draft declaration on extreme poverty and, if appropriate, to identify its specific points" (resolution 2000/12, para. 8 (a)). The seminar, which will take place in Geneva on 7 and 8 February 2001, will include participants from a broad base, including government representatives and experts from international organizations, universities and non-governmental organizations.

9. The independent expert on human rights and extreme poverty has characterized poverty as a denial of human rights and has recommended the establishment of a world global alliance for the eradication of extreme poverty (E/CN.4/2000/52, paras 84 and 85). In this regard the independent expert undertook consultations with international financial institutions in October 2000.

II. HEALTH

10. Article 8 (1) of the Declaration obliges States to "undertake, at the national level, all necessary measures for the realization of the right to development and [to] ensure, inter alia, equality of opportunity for all in their access to ... health services ...". Similarly, article 1 of the Declaration states that "The right to development is an inalienable human right ... in which all human rights and fundamental freedoms can be fully realized". In commitment 6 of the Copenhagen Declaration States commit themselves "to promoting and attaining the goals of universal and equitable access to ... the highest attainable standard of physical and mental health, and the access of all to primary health care ...". Activities on health described in the present report relate to several paragraphs of the outcome document.[4]

11. OHCHR has undertaken several measures to encourage Governments to enhance national measures concerning the implementation of human rights norms and standards in the context of HIV/AIDS. In particular, OHCHR has prepared briefing materials for the six treaty monitoring bodies. The briefing materials drew the attention of the members of the committees to issues

relevant to the respect of human rights in the context of HIV/AIDS. The briefing materials examined both issues of general concern, as well as issues of specific concern to the countries under examination by the various treaty bodies. The materials also identified relevant questions for the treaty body members to pose to the country delegations during the consideration of States parties' reports.

12. In accordance with resolution 1999/49 adopted by the Commission on Human Rights on the subject (considered biennially by the Commission), a note verbale was sent to Governments, United Nations bodies, specialized agencies, non-governmental organizations, the chairpersons of treaty bodies and four special rapporteurs requesting information on the implementation of HIV/AIDS-related rights, with specific reference to the International Guidelines on HIV/AIDS and Human Rights (E/CN.4/1997/37, annex I). The information received is reflected in the report submitted to the Commission at its present session (E/CN.4/2001/80).

13. OHCHR has continued to be involved in enhancing cooperation with agencies with a view to integrating HIV/AIDS-related rights within their programmes and activities. The May 2000 session of the Inter-Agency Advisory Group on AIDS - co-chaired by OHCHR and the Joint United Nations Programme on HIV/AIDS (UNAIDS) - reviewed the linkages between HIV/AIDS and human rights as well as ways in which HIV/AIDS-related rights could be more effectively implemented at the national level through the United Nations resident coordinator as a means of mainstreaming human rights and HIV/AIDS in the national programmes of United Nations agencies. OHCHR, together with UNAIDS, has initiated collaboration with the United Nations Educational, Scientific and Cultural Organization that includes joint participation in an international consultation on "HIV/AIDS and Youth: Human Rights and Social Development". The result of the consultations will be a manual for youth organizations to be used as a resource tool for policy guidance in the area of HIV/AIDS and human rights.

14. OHCHR is contributing to the Global Strategy Framework and United Nations System Strategic Plan on HIV/AIDS for 2001-2005 in particular with regard to a matrix highlighting OHCHR activities, needs and future strategies to ensure a rights-based response to the pandemic. The Global Strategy itself provides a common framework for the response to the HIV/AIDS pandemic and enables the many independent actors in the response to formulate, re-evaluate and harmonize their strategies. The matrix underlines the linkage between HIV/AIDS programmes and the work of OHCHR, noting that first, the pandemic undermines the effective enjoyment of all human rights and second, that human rights are a crucial element in HIV/AIDS prevention and control strategies. The matrix notes that the role of OHCHR focuses on advocacy and normative work. As well, through the various field offices, OHCHR's role includes the provision of direct support to Governments at the country level. The matrix goes on to identify major accomplishments and lessons learned over the last five years and sets priorities and targets for the next five years.

15. The OHCHR office in Cambodia, together with the UNAIDS office in Cambodia, organized a training workshop on HIV/AIDS and human rights on 6 and 7 September 2000. The overall objective of the workshop was to provide training to the staff of the Cambodia office and key Cambodian human rights NGOs on the medical and human rights perspectives of HIV/AIDS and the ways in which HIV/AIDS issues can be integrated into the organizations' work and future activities. The workshop was the first OHCHR-UNAIDS joint activity at the country

level. The discussions raised awareness of HIV/AIDS issues and led to a series of conclusions and recommendations to assist in the integration of these issues in the OHCHR and NGO activities in Cambodia and to fuel momentum on HIV/AIDS and human rights work at the national level.

16. OHCHR participated in a seminar organized by the United Nations Conference on Trade and Development and an NGO, Rights and Humanity, in November 2000 that focused on human rights approaches to intellectual property protection of pharmaceuticals. OHCHR presented a paper to the seminar looking at the relationship between the World Trade Organization Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) and its impact on the right to development and the right to health, as well as on article 15 of the International Covenant on Economic, Social and Cultural Rights.[5]

17. In August 2000, the Sub-Commission on the Promotion and Protection of Human Rights adopted resolution 2000/7 on intellectual property rights and human rights. The Sub-Commission, noting that actual or potential conflicts exist between the implementation of the TRIPS Agreement and the realization of economic, social and cultural rights in relation to ... access to patented pharmaceuticals and the implications for the enjoyment of the right to health, requested the High Commissioner for Human Rights to undertake an analysis of the human rights impacts of the TRIPS Agreement.

III. EDUCATION

18. Article 8 (1) of the Declaration also obliges States to ensure equality of opportunity for all in their access to education and commitment 6 of the Copenhagen Declaration also mentions "quality education" (see para. 10 above). Activities of the international human rights machinery that concern education are relevant to several paragraphs of the outcome document.[6]

19. The Special Rapporteur on the right to education, Ms. Katarina Tomasevski, identified the need for greater financial support to promote the right to education. In her report to the Commission on Human Rights last year (E/CN.4/2000/6), the Special Rapporteur identified a legal framework for implementing the right to education as well as obstacles to the realization of the right, specifically a lack of financial support and poverty. In particular, the Special Rapporteur underlined the need for improved debt relief and development assistance to promote the right to education in developing countries. The Special Rapporteur also encouraged the incorporation of a human rights perspective in relation to the criteria used by lending institutions such as the World Bank in the provision of financial support for education.

20. In keeping with the themes identified in her report to the Commission, the Special Rapporteur was instrumental in ensuring that the Framework for Action for the achievement of education for all, adopted at the World Education Forum in Dakar in April 2000, included express references to the promotion and protection of human rights. The Commission on Human Rights welcomed the convening of the Forum in resolution 2000/9 adopted at its last session.

IV. FOOD

21. As with health and education, article 8 (1) of the Declaration also obliges States to take measures to ensure equal access to food. In its resolution 2000/10, the Commission decided to appoint a Special Rapporteur on the right to food. OHCHR has provided technical and administrative assistance to the Special Rapporteur since his appointment. The Special Rapporteur has submitted his first report to the Commission at its present session (E/CN.4/2001/53). In it, the Special Rapporteur illustrates the situation of access to food, stating that 826 million people are currently chronically or gravely undernourished. He also notes seven obstacles to the realization of the right to food including problems linked to international trade and commerce, debt servicing, aspects of the evolution of biotechnology, war, corruption, problems of accessing land and credit and discrimination against women.

V. GENDER MAINSTREAMING

22. Article 8 (1) of the Declaration states, in part, that "[e]ffective measures should be undertaken to ensure that women have an active role in the development process". Similarly in resolution 2000/5 the Commission affirmed "the need to apply a gender perspective in the implementation of the right to development, inter alia by ensuring that women play an active role in the development process", and emphasized that "the empowerment of women and their full participation on a basis of equality in all spheres of society is fundamental for development". The outcome document of the special session notes the need for gender mainstreaming in the implementation of initiatives for development.[7]

23. OHCHR is endeavouring to mainstream gender issues both within and outside the Office. In January and June 2000, OHCHR held gender mainstreaming training for staff - "Integrating a gender perspective into the work of the OHCHR" - over six sessions. The training covered gender concepts and frameworks, the relationship of gender to women's human rights, and the practical application of gender concepts and frameworks to the work of OHCHR at every level.

24. OHCHR has undertaken to develop a gender checklist on how to integrate gender issues throughout all OHCHR initiatives. There is a draft checklist that will be tested soon by both staff at headquarters and in the field. The checklist will help staff to integrate a gender perspective into all aspects of their work.

25. OHCHR also co-sponsored initiatives relevant to the issue of gender mainstreaming, including an expert group on gender and racial discrimination organized with the Department for the Advancement of Women for Zagreb and another expert group in Windhoek on the HIV/AIDS pandemic and its gender implications, both in November 2000.

VI. RACIAL DISCRIMINATION

26. Article 5 of the Declaration states that "States shall take resolute steps to eliminate the massive and flagrant violations of the human rights of peoples and human beings affected by situations such as those resulting from apartheid, [and] all forms of racism and racial discrimination ...". The new initiatives of the outcome document also encourage the elimination of racial discrimination as a means of implementing social development.[8]

27. The report of the Secretary-General (E/CN.4/2001/20) provides details on relevant activities of the High Commissioner in her capacity as Secretary-General of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

VII. INDIGENOUS PEOPLE

28. Article 2 (3) of the Declaration states that "States have the right and the duty to formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom." Similarly, the Commission, in resolution 2000/5, reaffirmed "the importance of the right to development for every human person and all peoples in all countries". In commitment 4 of the Copenhagen Declaration States commit themselves "to promoting social integration by fostering societies that are stable, safe and just and that are based on the promotion and protection of all human rights, as well as on non-discrimination, tolerance, respect for diversity, equality of opportunity, solidarity, security, and participation of all people, including disadvantaged and vulnerable groups and persons". The special session made new initiatives under commitment 4 that are specifically related to recognizing the contribution of indigenous people to society, in particular through encouraging the ongoing work on a draft declaration on the rights of indigenous people.[9]

29. The sixth meeting of the working group on a draft declaration on the rights of indigenous people took place in Geneva from 20 November to 1 December 2000. Besides acting as the secretariat for the working group, OHCHR is making efforts to promote a dialogue between States and indigenous people, with the aim of maximizing the participation of indigenous people in the partnerships that affect them.

30. The High Commissioner believes that the establishment of the Permanent Forum on Indigenous Issues within the United Nations system will afford an important opportunity for joint action in favour of human rights and indigenous peoples' development. In December 2000, the Secretary-General appointed OHCHR as the lead agency for the implementation of Council resolution 2000/22 on the establishment of a Permanent Forum on Indigenous Issues.

VIII. MIGRANTS AND TRAFFICKED PEOPLE

31. Article 2 (3) of the Declaration, as noted in the section on indigenous people, equally includes migrants and trafficked people with regard to the formulation of development policies for the entire population. Similarly, under commitment 4 of the Copenhagen Declaration, the special session included initiatives aimed at promoting and protecting the human rights of migrants and trafficked people.[10] OHCHR has been involved in activities relating to promoting the human rights of these groups.

32. The growth of trafficking and the sex industry are causes of major concern. Each year, millions of individuals, the vast majority of them women and children, are tricked, sold or coerced into situations of exploitation from which they cannot escape. Trafficked people suffer abuses of their human rights, in particular the rights to freedom from slavery, freedom of movement, and freedom from fear, discrimination and injustice. As a result, the High

Commissioner has placed a high priority on promoting and protecting the human rights of trafficked people. OHCHR has been involved in the drafting process of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime adopted by the General Assembly on 15 November 2000.

33. From 29 June to 1 July 2000, OHCHR jointly organized with the Council of Europe a regional seminar on "Coordinating action against trafficking in human beings in South-Eastern Europe: Towards a Regional Action Plan". OHCHR also actively participated in the seminar through the provision of background documents and speakers. From 26 to 28 July 2000, the first Consultative Group on trafficking met in Geneva. The Consultative Group is a three member expert group that has been created with two objectives. First, the Group should advise the High Commissioner on strategies related to trafficking. Second, the Group has been given the task of developing United Nations guidelines on the integration of human rights into national, regional and international anti-trafficking initiatives.

34. The Commission on Human Rights appointed Ms. Gabriela Rodriguez Pizarro as Special Rapporteur on the human rights of migrants in 1999. Since her appointment, the Special Rapporteur has placed a special emphasis on the situation of irregular migrants and trafficked and smuggled people, as well as on the problems of racial discrimination and xenophobia faced by non-citizens. The Special Rapporteur has also undertaken a mission to Canada and is planning a mission to Mexico and a mission to the Asian-Pacific region in 2001.

IX. THE INTERNATIONAL FINANCIAL ARCHITECTURE, STRUCTURAL ADJUSTMENT POLICIES AND DEBT

35. Article 3 (3) of the Declaration states that "... States should realize their rights and fulfil their duties in such a manner as to promote a new international economic order based on sovereign equality, interdependence, mutual interest and cooperation among all States, as well as to encourage the observance and realization of human rights". Further, article 4 (1) states that "States have the duty to take steps, individually and collectively, to formulate international development policies with a view to facilitating the full realization of the right to development". In resolution 2000/5 the Commission reaffirmed that "structural reforms that do not take social realities into account could destablize democratization processes" (para. 4 (d)). Commitment 8 of the Copenhagen Declaration is to ensure "that when structural adjustment programmes are agreed to they include social development goals". In this context, activities of the human rights programme are relevant to several initiatives of the outcome document.[11]

36. The Committee on Economic, Social and Cultural Rights is, inter alia, using its monitoring role under the International Covenant on Economic, Social and Cultural Rights to consider the effects of structural adjustment policies on the ability of States to fulfil their obligations under the Covenant. For example, in one of its concluding observations the Committee noted the negative impact that structural adjustment programmes had on poverty, employment and income distribution as well as on the availability of social services.[12] The Committee has also made observations to donor countries calling on them to ensure, as members of the World Bank and the International Monetary Fund, that the policies of those institutions are in conformity with States' obligations under the Covenant.[13]

37. In its resolution 2000/82, the Commission on Human Rights stressed that structural adjustment policies have serious implications for the ability of the developing countries to abide by the Declaration on the Right to Development and to formulate national development policies that aim to improve the economic, social and cultural rights of their citizens. The Commission also requested the Economic and Social Council to authorize the working group on structural adjustment programmes and economic, social and cultural rights to meet for two weeks prior to its next session.

38. The Commission appointed Mr. Fantu Cheru as independent expert on the effects of structural adjustment policies and foreign debt on the full enjoyment of all human rights, particularly economic, social and cultural rights. The independent expert has already submitted two reports (E/CN.4/1999/50 and E/CN.4/2000/51) in his capacity as independent expert on structural adjustment policies, the second in conjunction with the former Special Rapporteur on foreign debt. The independent expert was also requested to provide an advance copy of his annual report to the Working Group.

X. CORPORATE RESPONSIBILITY

39. Article 2 (2) of the Declaration states that "All human beings have a responsibility for development, individually and collectively ...". At the special session of the General Assembly, Governments included corporate social responsibility towards development as one of the elements under commitment 1 "to creating an economic, political, social, cultural and legal environment that will enable people to achieve social development". Activities of the international human rights machinery are relevant to encouraging corporate responsibility for social development according to the new initiatives under commitment 1.[14] In 1998, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, now the Sub-Commission on the Promotion and Protection of Human Rights, by resolution 1998/8, established a sessional working group to examine the working methods and activities of transnational corporations. The working group met in August 2000 for its second session to review the activities of transnational corporations as they affect the enjoyment of human rights; analyse existing standards regulating the activities of transnational corporations as they relate to human rights; and examine draft standards on the human rights conduct of companies (E/CN.4/Sub.2/2000/WG.2/WP.1 and Add.1 and Add.2). The working group recommended that independent experts of the Sub-Commission should update the working paper on the consequences of the working methods and activities of transnational corporations (E/CN.4/Sub.2/1998/6), revise and update the draft standards on the human rights conduct of companies, and prepare a working paper on procedures for the implementation of standards on the human rights conduct of companies (see E/CN.4/Sub.2/2000/12, para. 61).

40. At their annual meeting in June 2000 the special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights discussed the involvement of the private sector when addressing different human rights issues. Additionally, a number of special rapporteurs and independent experts had contacts with the private sector in the course of their human rights work. The report of that meeting is contained in document E/CN.4/2001/6.

41. During her official visits to countries around the world, the High Commissioner has increasingly been invited to meet with business leaders to discuss areas of common concern such as their possible involvement in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

42. OHCHR is one of the three bodies involved in the development of the Secretary-General's Global Compact initiative which calls on business leaders to join forces with the United Nations and civil society behind a set of core values in the areas of human rights, labour standards and the environment. Companies participating in the Compact have committed themselves to expressing their support publicly for the Compact and its principles in mission statements, annual reports and public announcements, engaging in dialogue with the United Nations and other partners, sharing concrete examples of progress made or lessons learned in implementing the principles of the Compact and undertaking activities jointly with the United Nations that advance the implementation of those principles or support wider goals such as poverty eradication.

43. OHCHR is working to increase the business community's awareness of the Universal Declaration of Human Rights and explore how companies can support it by expanding direct dialogue and information exchange with business leaders. Examples of such activities include training in human rights for business leaders organized by the United Nations Staff College and joint publications such as "Business and Human Rights: A Progress Report" prepared in cooperation with Business for Social Responsibility for the 2000 meeting of the World Economic Forum in Davos. Similarly, OHCHR prepared a publication - "Business and Human Rights: An Update" - for the High-Level Meeting on the Global Compact on 26 July 2000, again in an attempt to increase the awareness of the business community of the Universal Declaration. The report notes that: "The first half of 2000 has already shown the rapid pace at which the business community's role in promoting and protecting human rights is being framed for the new century. From the implications of mapping the human genome to the role of diamonds in fuelling conflict in Angola and Sierra Leone, from addressing the AIDS pandemic to halting trafficking in human beings, the links between business and human rights are becoming increasingly clear and higher on the international agenda." OHCHR is also encouraging business participation in raising public awareness about United Nations conferences such as the World Conference.

XI. GOOD GOVERNANCE

44. Article 3 of the Declaration on the Right to Development stipulates that "States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development". Ensuring good governance is an important aspect of the creation of such national conditions. In April 2000, the Commission adopted resolution 2000/64 entitled "The role of good governance in the promotion of human rights" which links good governance with development, emphasizing "that the strengthening of good governance at the national level, including through the building of effective and accountable institutions for promoting growth and sustainable human development, is a continuous process for all Governments regardless of the level of development of the countries concerned". The outcome

document also links good governance to development under commitment 1 with Governments undertaking to "make a renewed commitment to effective, transparent and accountable governance and democratic institutions that are responsive to the needs of people and enable them to take an active part in decision-making about priorities, policies and strategies".[15]

45. In its resolution on good governance the Commission requested the High Commissioner to invite all States to provide practical examples of activities that have been effective in strengthening good governance practices for the promotion of human rights at the national level, including activities in the context of development cooperation between States. OHCHR sent a note verbale requesting this information from States on 6 September 2000 and has compiled the replies received.

46. The technical cooperation programme of OHCHR has an important role to play in strengthening good governance at the national level. OHCHR has continued to provide technical cooperation to States seeking to strengthen their human rights capacities as part of their national development strategies, including through the strengthening of national human rights institution and institution-building generally, as well as the training of judges, police and the military. Technical cooperation projects are now being developed or implemented in approximately 40 countries.

47. OHCHR provided technical and administrative support for the sessional Working Group on the Administration of Justice of the Sub-Commission on the Promotion and Protection of Human Rights in August 2000. At its next session the working group will examine a background paper on "Discrimination in the criminal justice system" as well as a paper on "The domestic implementation in practice of the obligation to provide effective domestic remedies" to be prepared by independent experts of the Sub-Commission (see E/CN.4/Sub.2/2000/44).

48. The Special Rapporteur on freedom of opinion and expression has also discussed the positive link between the freedom of expression and development. In particular, the Special Rapporteur believes that new technology has diverse effects on development. He underlines the fact that many developing countries have much lower access to information technology than developed countries. This can negatively effect the freedom of expression and can result in a two-track approach to development.

XII. CONFLICT PREVENTION AND RESOLUTION

49. Article 7 of the Declaration states that "All States should promote the establishment, maintenance and strengthening of international peace and security ...". Similarly, in resolution 2000/5 the Commission reiterated that "for peace and stability to endure, national actions and international action and cooperation are required to promote a better life for all in larger freedom ...". New initiatives agreed by the special session also encourage conflict prevention and resolution.[16] Several activities of OHCHR are relevant to the implementation of these new initiatives.

50. OHCHR field presences are the main focus for United Nations human rights work in the field of conflict resolution. Field activities of the Office relevant to conflict resolution and management strategies generally relate to:

(a) Supporting national capacities of investigation and follow-up of human rights violations;

(b) Providing legal assistance to returnees and detained people;

(c) Providing continuous training to employees in the justice system, police, military forces and prison officers;

(d) Organizing human rights seminars for leaders and members of human rights organizations, women's associations and youth movements with the objective of promoting a culture of peace and reconciliation.

51. In Burundi, for example, the activities of the Office are closely linked to the implementation of the Arusha Peace Agreement. Cambodia hosted a meeting for Parliamentarians for Peace in the Asian-Pacific region in November 2000. The High Commissioner has also been active in conflict prevention and resolution in her national visits. From 8 to 16 November 2000, the High Commissioner visited the occupied Palestinian territories, Israel, Egypt and Jordan. During her visit, the High Commissioner noted that the occupation of the territories, in particular the closure of the territories and restrictions on the passage of people, materials and so on has had a negative impact on the enjoyment of the right to development. Consequently, in her report (E/CN.4/2001/114), the High Commissioner identified measures to prevent escalating violence, including through the promotion of the right to development. From 1 to 3 October 2000, the High Commissioner visited the Democratic Republic of the Congo. In Kinshasa, the High Commissioner spoke on "The human rights culture: condition for sustainable peace and development", emphasizing that the current armed conflict and growing insecurity in the country could not justify denying the Congolese population the full enjoyment of their human rights.

52. The United Nations is currently responsible for implementing the right to development in East Timor, through the creation of national infrastructure that will promote an environment in which citizens may enjoy the right to development.

53. The High Commissioner has also personally taken up the issue of post-conflict trauma. On 23 October 2000, she addressed a consultation on the mental health of refugees and internally displaced populations and other populations affected by war, organized by the World Health Organization. The High Commissioner spoke on "Recognizing human dignity and worth: the human rights of refugees, the internally displaced and other populations affected by war". In her speech, the High Commissioner stressed that human rights have a central role to play in protecting the most vulnerable.

XIII. NEW INITIATIVES BY OHCHR

54. The Office of the High Commissioner is also undertaking two new initiatives specifically related to the implementation of the goals of the special session in order to maintain the renewed momentum for social development generated in June 2000. First, in order to improve the dissemination of the new initiatives, OHCHR will include specific references and links to the Copenhagen Declaration and Programme of Action and follow-up thereto on its web page. As part of this exercise, OHCHR will compile normative statements by treaty bodies that are of particular relevance to the implementation of the 10 commitments for social development and will add them to the web page under a heading that specifically links them to the initiatives for social development. In this way, OHCHR hopes to join continuous and well-established monitoring mechanisms to the commitments made at Copenhagen.

55. Second, OHCHR has written to the relevant experts of the international human rights machinery, highlighting the new initiatives in the outcome document that are relevant to their activities.

Notes

[1] Official Records of the General Assembly, Twenty-fourth special session, Supplement No. 3 (A/S-24/8/Rev.1).

[2] Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995, (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[3] Resolution S-24/2, annex, Part III, paras. 25 (reduce the proportion of people living in extreme poverty by one half by the year 2015) and 28 (developing and implementing pro-poor growth strategies).

[4] Ibid., paras. 97 (take measures at the national level to prevent and protect against HIV/AIDS infection and address the consequences of HIV/AIDS transmission, including: strengthening health-care services, strengthening information and education, training health-care providers, addressing mother-to-child transmission, analysing the political, cultural, social, economic and legal aspects of HIV/AIDS and providing social and educational support to affected groups; 101 (recognize the critical importance of access to essential medicines at affordable prices and acknowledge the contribution of intellectual property rights to promote research, development and distribution of drugs); 102 (analyse the consequences of agreements on trade in health services for health equity and meeting health needs of the poor); 103 (monitor and analyse the pharmaceutical and public health implications of relevant international agreements, including trade agreements); 104 (integrate the health dimension into United Nations policies and programmes); 122 (encourage the 25 African countries most affected by HIV/AIDS to adopt time-bound targets for reducing infection levels, such as a 25 per cent reduction among young people by the year 2005).

[5] Article 15 recognizes the right of everyone "(a) to take part in cultural life; (b) to enjoy the benefits of scientific progress and its applications; (c) to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author."

[6] Ibid., paras. 92 and 93 (reaffirm the Framework for Action on education for all adopted at the World Education Forum in Dakar and recognize that the achievement of this goal requires additional financial support, increased development assistance and debt relief, on the order of $8 billion a year).

[7] Ibid., para. 79 (ensure gender mainstreaming in the implementation of the commitments made at the Summit, including through the use of positive or affirmative action).

[8] Ibid., para. 60 (eliminate all forms of discrimination, including racial discrimination, xenophobia and related intolerance, and in this context support the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held in South Africa in 2001).

[9] Ibid., paras. 62 (recognize the contribution of indigenous people to society and promote ways of giving them greater responsibility for their own affairs) and 63 (encourage the ongoing work on a draft declaration on the rights of indigenous people with the aim of achieving completion prior to the conclusion of the International Decade on the World's Indigenous People in 2004 and support the establishment of a United Nations permanent forum to discuss indigenous issues).

[10] Ibid., paras. 68 (intensify efforts to ensure the protection of the human rights and dignity of migrants irrespective of their legal status) and 69 (promote measures, at the national and international levels, to prevent illegal trafficking and transport of migrants and trafficking in persons).

[11] Ibid., paras. 8 (institute systems for assessing and monitoring the social impact of economic policies, with a particular focus on the formulation of macroeconomic policies for dealing with financial crises and the design of reform programmes); 13 (reduce negative impacts of international financial turbulence on economic and social development); 16 (ensure that additional financing is mobilized to fund debt relief and that funds saved should be used to support social development); and 129 (ensure that adjustment programmes to address economic crises do not lead to a severe drop in economic activity or sharp cuts in social spending).

[12] The Committee noted that "the Government's economic reform programme for 1998/99, which implemented the structural adjustment programme in Cameroon approved by the International Monetary Fund, the World Bank and the Caisse française de développement, while increasing the real GDP growth rate has impacted negatively on the enjoyment of economic, social and cultural rights by increasing poverty and unemployment, worsening income distribution and causing the collapse of social services" (E/C.12/1/Add.40 of 8 December 1999, para. 10). See also the concluding observations of the Committee on Mexico (E/C.12/1/Add.41 of 8 December 1999) at para. 34.

[13] See concluding observations on Italy (E/C.12/1/Add.43 of 23 May 2000), at para. 20.

[14] Ibid., para. 17 (encourage corporate social responsibility so that it contributes to social development goals by promoting corporate awareness, providing policy framework that supports and stimulates private-sector initiative aimed at achieving these goals, and enhancing national partnerships with business in support of the goals.

[15] Ibid., para. 3.

[16] Ibid., para. 74 (strengthen organizations and mechanisms for the prevention and peaceful resolution of conflicts).